

REMARKS

The Office Action mailed July 28, 2004 states that the application is in condition for allowance except for the presence of claims 4, 6, 7, 13-23, and 25-35 to an invention "non-elected with traverse in the reply filed on October 29, 2003." The Office Action then requires cancellation of the non-elected claims or petition under 37 CFR 1.144 within one-month or thirty days from the mailing date of the Office Action, or else the claims will be canceled by Examiner's Amendment.

Applicant responds now in order to correct the record to indicate that the election of species filed October 29, 2003 was made **without** traverse, and to respectfully request that the non-elected claims be reinstated in accordance with 37 CFR 1.141 because they depend from an allowed generic claim.

The election of species filed October 29, 2003 included a provisional election of species VI, and no traverse of the election requirement was made. The fact that the election was made without traverse was confirmed by the examiner in the Office Action mailed January 21, 2004 at page 2, paragraph 3 ("Election was made **without** traverse in Paper No. 7").

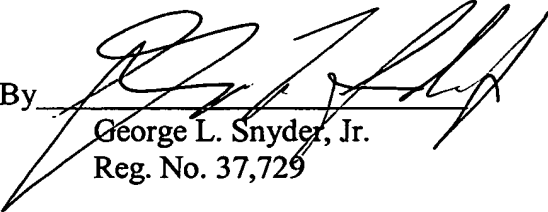
Applicant respectfully contends that the direction to cancel the non-elected claims is improper because all the non-elected claims depend from an allowed generic claim, namely Claim 1. The examiner is invited to review the Office Action mailed October 2, 2003, which states at page 3: "Upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141." The non-elected claims 4, 6, 7, 13-23, and 25-35 all depend directly or indirectly from allowed claim 1, and thus include all the limitations of allowed claim 1. **Therefore, the non-elected claims should be reinstated and allowed, not canceled.**

In view of the foregoing, Applicant respectfully requests reinstatement and allowance of claims 4, 6, 7, 13-23, and 25-35.

Respectfully submitted,

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DATED: August 20, 2004